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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Siasilepelenise L Tuaimalo,

No. CV-23-01948-PHX-DJH

10 Petitioner,

**ORDER**

11 v.

12 Russell Heisner, et al.,

13 Respondents.  
14

15 On February 5, 2024, Magistrate Judge Alison S. Bachus issued a Report and  
16 Recommendation (“R&R”) recommending that Petitioner Siasilepelenise Tuaimalo’s  
17 Petition Under 28 U.S.C. § 2241 (“Petition”) (Doc. 1) be denied, and the matter  
18 dismissed with prejudice. (Doc. 11). Judge Bachus advised the parties that they had  
19 fourteen days to file objections and that the failure to timely do so “may result in the  
20 acceptance of the Report and Recommendation by the district court without further  
21 review.” (*Id.* at 7) (citing *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.  
22 2003) (*en banc*)). Over fourteen days have passed and neither party has filed an  
23 objection.

24 Absent any objections, the Court is not required to review the findings and  
25 recommendations in the R&R. *See Thomas*, 474 U.S. at 149 (noting that the relevant  
26 provision of the Federal Magistrates Act, 28 U.S.C. § 636(b)(1), “does not on its face  
27 require any review at all . . . of any issue that is not the subject of an objection.”); *Reyna-*  
28 *Tapia*, 328 F.3d at 1121 (same); Fed.R.Civ.P. 72(b)(3) (“The district judge must

1 determine *de novo* any part of the magistrate judge's disposition that has been properly  
2 objected to.”).

3 Nonetheless, the Court has reviewed Judge Bachus's R&R and agrees with its  
4 findings and recommendations. The Court will, therefore, accept the R&R and dismiss  
5 the Petition. *See* 28 U.S.C. § 636(b)(1) (“A judge of the court may accept, reject, or  
6 modify, in whole or in part, the findings or recommendations made by the magistrate  
7 judge.”); Fed.R.Civ.P. 72(b)(3) (same).


8 Accordingly,

9 **IT IS ORDERED** that the Report and Recommendation (Doc. 11) is  
10 **ACCEPTED** and **ADOPTED** as the Order of this Court.

11 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus  
12 pursuant to 28 U.S.C. § 2241 (Doc. 1) is **DENIED** and **DISMISSED WITH**  
13 **PREJUDICE**.

14 **IT IS FINALLY ORDERED** that the Clerk of the Court shall terminate this  
15 action and enter judgment accordingly.

16 Dated this 24th day of April, 2024.

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20 Honorable Diane J. Humetewa  
21 United States District Judge  
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